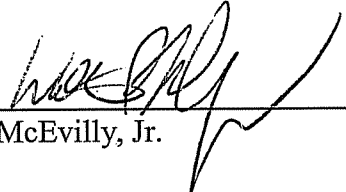


**CERTIFICATE OF SERVICE**

I, WALTER P. McEVILLY, JR., ESQUIRE, certify that on this date, I served a true and correct copy of the foregoing Motion for Summary Judgment and Opening Brief In Support and Appendix (Volumes I and II)<sup>3</sup> upon the following person of record, by depositing the same in the United States mail, postage prepaid, addressed as follows:

Gary W. Aber, Esquire  
P.O. Box 1675  
Wilmington, Delaware 19899-1675

Dated: July 25, 2006

  
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Walter P. McEvilly, Jr.

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<sup>3</sup> The Appendix is being filed with the Court under seal by agreement of the parties.